

INSTRUCTIONS AND GENERAL INFORMATION

Instructions

☐ **Label submittal information** - Attach labels (front, back, and neck, if applicable) to company letterhead. Use additional sheets if necessary. Submit only originals, printer's proofs, or computer-generated labels. Illegible labels and size reductions will not be accepted. Leave sufficient blank space on each sheet of paper for the Department's approval stamp (minimum: 2" by 3").

☐ **Item 1 - Manufacturer** - Enter the legal name of the manufacturer. If the product is bottled by someone other than the manufacturer, the bottler's true name and address must also appear on the label.

☐ **Item 8-9 - Shipper** - If the product is shipped into California from another state or foreign country, these items must be completed. "Shipper" is defined as the consignor on a freight bill of lading. It is unlawful to ship malt beverages to California unless the shipper holds a valid Certificate of Compliance.

☐ **Items 12-17 - Contract Brew** - If the product is "contract-brewed," these items must be completed. A "contract brew" is when someone other than the beer manufacturer owns the brand name. Typically, the true beer manufacturer will use the name of the brand owner as the name of the "manufacturer" on the label.

☐ **Items 18-20 - Fictitious Business Name** - A beer manufacturer who uses a fictitious business name on a label must file a Fictitious Business Name Statement in the appropriate county and furnish the Department with an endorsed copy of the Statement with this application.

Businesses located outside California: Fictitious Business Name Statements are filed in Sacramento County with the County of Sacramento Department of Finance, Tax Collection and Licensing, 700 H Street, Room 1710, P. O. Box 1703, Sacramento, CA 95814. Ph. (916) 874-6644. Web site: www.co.sacramento.ca.us

Businesses within California: Fictitious Business Name Statements are filed in the county of your principal place of business.

☐ **Item 21 - Product Information** - List products by brand, size and alcohol content. Use additional sheets if necessary. If the alcohol content is over 5.7% by volume, a statement of alcohol content must appear on the label.

General Information

- Section 25200 Business and Professions Code states:

All beer sold in this State shall have a label affixed to the package or container thereof, upon which shall appear the true and correct name and address of the manufacturer of the beer, and also the true and correct name of the bottler of the beer if other than the manufacturer. No manufacturer, importer, or wholesaler of beer shall use a container or carton as a package or container of a beer other than such beer as is manufactured by the manufacturer whose name or brand of beer appears upon the container or carton, or use as a package or container of a beer a container or carton which bears the name of a manufacturer of beer or the brand of any beer other than those of the manufacturer of the beer contained in the container or carton.

- Section 25204 Business and Professions Code states:

(a) Any beer container sold within this State shall bear a label that conforms with the alcohol content labeling requirements prescribed in Section 7.71 of Part 7 of Title 27 of the Code of Federal Regulations, as adopted pursuant to the Federal Alcohol Administration Act (27 U.S.C. Sec. 201 et seq).

(b) Any beer container sold within this State that contains more than 5.7 percent alcohol by volume shall include a statement of alcoholic content.

(c) This Section shall become operative on July 1, 1997.

- Rule 130, California Code of Regulations states, in part:

The name and address of any manufacturer or bottler or person appearing upon any label of beer must be the true name and address of such person at the time of packaging of such product. The true name of a manufacturer or bottler or person shall be deemed to include a fictitious business name for which such manufacturer, bottler or person has duly filed a Fictitious Business Name Statement pursuant to the provisions of Section 17900 et seq. of the Business and Professions Code.

Any labels or notices affixed to beer must, if such beer is produced in this State, be affixed prior to the first sale, and in the case of beer produced outside the State and imported into this State, must be affixed prior to delivery in this State. A copy of any label or notice affixed to beer shall, if that beer is produced in this State, be furnished to the headquarters office of the department by the manufacturer prior to the first sale, and if that beer is produced outside this State and imported into this State, shall be furnished to the headquarters office of the department by the shipper prior to delivery in this State.

For ABC Use Only

Other Information Regarding Label Disapproval: